Respecting the Dignity and Human Rights of People on the Move:

International Migration Policy for the 21st Century

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I am grateful to the Council on Foreign Relations for offering me the chance to speak on international migration issues.

Perhaps it's best to start by defining our topic.

International migration policy concerns the array of national practices that apply to the treatment of citizens and non-citizens who cross borders, and constitutes the effort, by the United States and others, to share best practices and develop common principles, approaches and initiatives toward these populations. And while domestic immigration policy remains the sovereign right of each individual nation, how each of us addresses migration at home will inform any effort to develop common international understandings. And, of course, we can't urge other governments to develop policies and practices that we ourselves are not prepared to implement. In other words, as President Obama has made clear in reference to our general human rights diplomacy, we should practice at home what we preach abroad.

My remarks today come against the backdrop of the fourth Global Forum on Migration and Development taking place this week in Puerto Vallarta.

I will lead the U.S. delegation to the Forum, where our goal will be to articulate principles and policies that serve the broad development objectives of receiving, transit and sending countries, while respecting the dignity and well-being of people on the move – as well as the sovereign rights of governments to determine their domestic immigration policies.

The starting points for a discussion of common principles and policies are our own history, perspectives and posture. Migration has played – and continues to play – a critical role in our national experience. Of more than 200 million people who are outside the country of their birth today, one in five resides in the United States. President Obama has said that "the steady stream of hardworking and talented people" who have immigrated to the United States over the years "has made the United States the engine of the global economy and a beacon of hope around the world." And this perspective is hardly unique among our political leaders, past and present. Former President George W. Bush expressed a similar view, when he said that "every generation of immigrants has reaffirmed the wisdom of remaining open to the talents and dreams of the world," and added that "one of the

primary reasons America became a great power in the 20th century is because we welcomed the talent and the character and the patriotism of immigrant families."

Especially as we prepare for the Global Forum on Migration and Development, it is worth articulating our view of the benefits of our immigration experience, and the lessons they might offer for others.

In short, immigration has indeed been critical to the economic growth and development of the United States. Over 40 percent of the 300 million people in the U.S. today can trace their ancestry to immigrants who passed through Ellis Island between 1892 and 1954. It is difficult to imagine that the United States could have become the leading economic and political power it is today without the contribution made by the over 120 million people who immigrated during this period. And this does not include the many millions who came to the United States prior to the 19th century, or who have come since 1954.

Immigrants have made important contributions to the U.S. economy since the founding days of our nation, providing the critical foundation of our economic prosperity through the centuries. In 2000, immigrant business owners generated an estimated $67 billion of the $577 billion in U.S. business income.

To be sure, perspectives on the economic impacts of immigration to advanced industrial societies vary. On balance, however, the data reveal that the overall effect on U.S. wages has been positive, and that, over time, tax revenues generated by immigrants far exceed the cost of the services they use.

Immigration has also helped the United States avoid many of the very troubling demographic trends that bedevil other industrialized countries less hospitable to immigrants. As populations age, birth rates decline and the revenue streams needed to sustain social security programs shrink, new entrants and their families have played a critical role in helping the United States to sustain our capacity to maintain social programs.

Immigration has also played a role in innovations in the development of American science, art and music, and public policy. For example, one in four doctors in the United States is an immigrant, as are two in five medical scientists and one in three computer software engineers. And our generally positive record of assimilation of new communities has certainly been influenced by the contributions of previous waves of immigrants to the creation of social institutions, such as immigrant aid societies, that facilitate the integration of newcomers.

None of this can allow us to ignore the difficult policy issues that migration presents, such as the right balance in the composition and magnitude of legal immigration, the challenge of undocumented migration, and the most effective ways to address a perception among many citizens that immigrants threaten their economic well-being.

Of course, tensions around migration issues are nothing new. But they must not be used to divide and inflame; rather, the task is to engage a collective effort to promote positive change. The President has acknowledged the concerns of many Americans that our immigration laws must be reformed, to ensure accountability in the system while reflecting our values. This commitment to reform, and to

accountability, is essential to sustaining public support for legal immigration. But amidst all of these concerns, we should not lose sight of the fact that immigration to the U.S. has yielded enormous benefits, nor forego our commitment to remain a society that welcomes the diversity and benefits that immigration can bring.

Our immigration policies have also had financial benefits to communities around the world, even as they have bound us more closely to those communities. In 2008, immigrant remittances from the United States amounted to $96.8 billion, representing nearly 30% of the total $336 billion in remittances worldwide.

Mexico, the host of the Global Forum on Migration and Development that is about to begin, is among the top recipients of migrant remittances with an estimated $22 billion in private remittances overall in 2009. Mexico has also developed a novel "Three for One" program, in which remittance dollars sent through hometown associations in Mexico are matched, dollar for dollar, by federal, state and municipal governments. Along with remittances sent directly to families, this program has bolstered the economies and infrastructure of many communities.

I don't mean to suggest that remittances should substitute for generous and strategically sound programs of development assistance, a commitment to which President Obama most recently affirmed at the UN Summit on the Millennium Development Goals. Nor should we ignore legitimate concerns about the loss of highly skilled workers from developing countries. This is why the Administration joined consensus earlier this year on the World Health Organization's Code of Practice on the international recruitment of health workers, with guidelines for how receiving and sending countries can grow and sustain their domestic workforces and limit the negative impacts of migration, while respecting the freedom to emigrate.

This issue of remittances reminds us that, whatever one's overall perspective on immigration, there is no arguing that migration is a constant of the human condition -- and that our policies and practices must come to grips with that basic observation. This is critical for security, for economic and social well-being, and for the humanitarian values to which we and others aspire. So now let me turn to some principles that inform our policies and practices in this critical area, and which might be of some use to other governments grappling with these very same issues.

First, we must respect the dignity and uphold the human rights of migrants on our territory, regardless of their legal status. To be sure, governments have legitimate interests in enforcing their immigration laws. However, while doing so, we can treat undocumented migrants with dignity, and we do well to remember President Obama's comment about the some 11 million undocumented immigrants in the United States: "The overwhelming majority of these men and women are simply seeking a better life for themselves and their children."

Thus, the Obama Administration has a strong commitment to enforcing federal laws and policies not only aimed at illegal immigration, but also aimed at those who abuse migrants. We have maintained a robust effort to identify and prosecute human traffickers wherever we may find them, and we welcome Congressional support on this score. In fact, Congress has authorized special programs like the "U visa" and "T visa," which officials can use to extend protection to trafficking victims and others who – due to fear of deportation – would otherwise be reluctant to come forward to assist law

enforcement efforts against those who exploit vulnerable migrants. We should continually review these programs to ensure they are being implemented as effectively as possible, and share our experiences with other governments.

We also work to ensure that those who may be subject to deportation receive humane treatment while in federal government custody and are able to receive expeditious decisions on their cases. The Department of Homeland Security is engaged in a robust review of our immigration detention system, and has taken a number of important detention reform measures over the past 15 months – including a revised policy on parole of aliens with credible fears of persecution. In addition, we have made significant investments in the Department of Justice's Executive Office for Immigration Review to improve the immigration courts system.

Second, we should strengthen our capacity for migration management – to effectively enforce domestic immigration laws. This is critical if we and other governments of receiving states wish to sustain public support for our immigration policies. Moreover, in the post 9/11 environment, it is reasonable to expect that those who wish to do us severe harm may seek to enter the United States fraudulently. While we must be vigilant in efforts to prevent bias and unfair treatment, we must also be prepared to implement new and effective enforcement measures. In our refugee program, for example, we will soon institute DNA testing for certain applicants to ensure the validity of claims made about family connections.

Third, the United States must press other governments – and speak out loudly and clearly – when enforcement practices run afoul of international obligations. For example, actions such as the unprovoked or disproportionate use of deadly force to prevent migrants from crossing borders, or law enforcement actions against smugglers that do not adhere to applicable protection obligations relating to refugees, should be of the deepest concern to sending and receiving states alike.

Fourth, we must continually review our own procedures for providing protection for vulnerable migrants. Our temporary protected status statute enables the Administration to permit non-citizens or lawful permanent residents who are in the United States to remain here temporarily if their country of citizenship is affected by situations including a natural disaster or armed conflict and return would pose a threat to their safety. Earlier this year, we used this statute to provide temporary refuge to qualifying Haitian nationals after the devastating earthquake. And our refugee admissions and asylum programs have resulted in citizenship for millions over the past 30 years. Other governments should be encouraged to implement or strengthen programs of this type.

Fifth, governments and international organizations must be much more focused on the relationship between migration and national development strategies. This year, for example, more than 100,000 Afghans have returned to their country of origin, but many of these returnees have not had adequate access to national development efforts. International financial and development organizations should ensure that their assistance is linked to refugee return and reintegration programs, as well as to local integration programs for individuals in countries of refuge.

Governments and international organizations must also better anticipate the impact of development programs on the movement of people. For example, such programs can sometimes result in the relocation of rural populations to urban centers. In countries that lack urban employment

opportunities or infrastructure, this can lead to out-migration with significant impacts on neighboring states.

Sixth, we and other donors must seek to build the capacity of developing country governments to manage migration effectively and humanely and to directly assist the most vulnerable migrants. The State Department's Bureau of Population, Refugees, and Migration supports programs throughout the world for these purposes. And our efforts to build migration management capacity are supplemented by those of other federal departments and agencies. For example, U.S. Immigration and Customs Enforcement manages a Global Trafficking in Persons program that has trained more than 34,000 personnel from foreign law enforcement, NGOs and international organizations.

And finally, we and others must recognize the critical importance of partnerships with civil society on international migration issues. Under Secretary Clinton's leadership, the State Department's Global Partnership Initiative is engaging diaspora communities in efforts to promote social, economic and political development in their countries of origin. The U.S. Agency for International Development has also engaged with civil society to amplify the development impact of remittances and to encourage investments by immigrants in the countries of their birth and ancestry.

And we are engaging partners to assist migrant communities in the United States. U.S. Citizenship and Immigration Services recently announced federal funding for 78 organizations to support citizenship education and preparation programs for lawful permanent residents and build capacity in communities to meet increasing demand for citizenship services.

I cannot close without mentioning a key element in communicating our seriousness of purpose on these issues: Comprehensive Immigration Reform. In July, President Obama renewed his call for common sense reform. For the past twenty months, the Administration has played an active role in engaging with elected officials to promote a bipartisan solution – and we will continue to work with the Congress for reform that is grounded in principles of responsibility and accountability, and which addresses future requirements of family-based and employment-based immigration.

While there has been movement toward some of these objectives, comprehensive reform can only be accomplished through Congressional action. And that would be the best means to address frustrations of U.S. citizens in several states that have passed laws attempting to enforce federal immigration law on the state level. This of course includes the recent Arizona law, provisions of which the Obama Administration opposes.

While the outcome of the Comprehensive Immigration Reform debate may be uncertain, the message of this Administration is clear: the United States has greatly benefited by migration to our shores and – whatever the precise contours of a system of legal immigration – our country must protect the rights of all migrants. These are principles that we will advocate strongly in Puerto Vallarta this week, as they not only reflect our values, but also international humanitarian principles to which this Administration and its predecessors have been so deeply committed.

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